



Canadian Association of
Professional Immigration Consultants

L'Association Canadienne des
Conseillers Professionnels en Immigration

CAPIC's Recommendations for Maintaining the In-Person Citizenship Ceremony as the Main Form to Welcome New Canadians

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About CAPIC

The Canadian Association of Professional Immigration Consultants (CAPIC) is the professional organization representing the interests of over 4400 Canadian immigration and citizenship consultants (RCICs). It serves its members on the four guiding principles of: Education, Information, Lobbying, and Recognition. CAPIC is the sole association recognized by the Government of Canada as the voice of RCICs. We are a major immigration stakeholder and consult with federal and provincial governments on legislation, policy, and program improvements and changes.

We are committed to promoting and protecting the competence of members and the integrity of the profession and the immigration system.

Our Mission

CAPIC leads, connects, protects, and develops the profession, serving the best interests of its members.

Our Vision

By 2024, CAPIC will:

- Represent a large majority of Citizenship and Immigration Consultants.
- Achieve optimum performance with sound governance principles centered on digital leadership.
- Lead as the point of reference in virtual and in-person professional development.
- Set the gold standard in immigration education.
- Remain the sole voice of the Canadian immigration legal profession.

CAPIC's Recommendations for Maintaining the In-Person Citizenship Ceremony as the Main Form to Welcome New Canadians

CAPIC acknowledges that proposed amendments to the Citizenship Regulations, SOR/93-246 (the Amendments) specify means for taking the oath of citizenship is to utilize modern technology to improve client service and reduce the backlog caused by COVID-19. On November 30, 2022, Immigration, Refugees, and Citizenship Canada (IRCC) initiated the video oath ceremony, which could indicate the direction of the means for such a ceremony moving forward.

While CAPIC does not object to adopting the virtual citizenship ceremony to reduce the backlog and in the circumstances that such a ceremony is justified, we recommend retaining the in-person citizenship ceremony as the primary form because it is significant to Canadian cultural traditions and meaningful to applicants.

Background

The first Canadian citizenship ceremony was held on January 3, 1947, 80 years after the founding of Canada as a nation. The ceremony recognized Canadian citizenship as our unique identity that defines and unites Canadians. When immigrants attend the ceremony in person, they pledge allegiance to Canada. In this once-in-a-lifetime event, they feel a special connection to their responsibilities as new Canadians. The ceremony marks the establishment of a formal bond between them and Canada. The advancement of technology over the years has not changed the preference for in-person ceremonies or other milestone occasions. Retaining the in-person oath ceremony and allowing new Canadians the choice to attend their ceremony in person is fundamental. Swearing the oath in person before a citizenship judge or appointed designated person contributes to the serious, sober, yet celebratory nature of achieving Canadian citizenship. The value and impact of attending an in-person oath ceremony are undeniable and represent a significant hallmark for new citizens in Canadian cultural tradition.

The Amendments were directly triggered by the need to address the citizenship application processing backlog caused by COVID-19. However, we are moving to a post-pandemic era where COVID-19 is no longer a driving force beyond human control. The current s. 19(2) of the *Citizenship Regulations*, SOR/93-246

(the Regulations) already provides the Minister with the leeway to “direct” other means instead of taking the oath of citizenship at a citizenship ceremony. IRCC has indeed implemented the virtual ceremony without amending s. 19 of the Regulations. Under such circumstances, amending this section in the proposed Amendment could become a mechanism to eliminate the in-person ceremony. Eliminating the in-person oath ceremony may not align with Canadian values and freedom of choice.

Though backlog should be prioritized and reduced to improve client service, the measure to address it should not be at the cost of sacrificing Canadian cultural traditions. The number of the most recent citizenship applications in three years is 243000. It is 81000 per year. Given IRCC has offices across Canada, it is not a number beyond manageability. Offering a combination of in-person and virtual ceremonies would allow for smooth and unhindered processing. Therefore, maintaining the in-person ceremony as the main form will not negatively impact the objective of improving IRCC’s service to clients. Instead, it allows new Canadians to take the oath in person.

The Amendments will allow applicants to take the oath of citizenship outside Canada. This could signal confusion to permanent residents who are required to meet residency obligations vs those who become eligible to become Canadians. It may also lead to significant fraud opportunities as those who have resided outside of Canada have to prove permanent residency and their eligibility for citizenship. The ability to take the oath ceremony online AND OUTSIDE of Canada devalues the significance of Canadian citizenship, as there must be components of the process from within Canada. In addition, Canadians are free to live anywhere in the world. This oath online AND OUTSIDE of Canada mechanism could lead to an unusual situation: The oath-taking in such a form marks a moment where permanent residents do not need to maintain their ties to Canada while enjoying all the rights and privileges bestowed on Canadians.

Recommendations

CAPIC recommends the following:

1. Exclude the line “whether in or outside Canada” in s. 19(1) in the Amendments.
2. Rephrase s.19(1)(a) in the Amendment to specify the situations where the Minister may allow applicants to take the oath of citizenship by the means available or specified by the Minister.
3. Retain the current s. 19(3) of the Regulations as the s. 19(1)(b) in the Amendment.

CAPIC is always ready to be in aid in any action that will enhance the integrity of the immigration and citizenship system of Canada. Citizenship marks a person’s

admission to the Canadian family. It is equally important to the person, their families, and the Canadian general public. Maintaining the in-person ceremony as the main form for oath-taking is a necessary and fundamental element of citizenship.

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